

DRAFT STATEMENT OF WORK SRI LANKA INTEGRATED CONFLICT RESPONSE STRATEGY

The Reconciliation, Governance, Human Security, Transparency and Stability (RIGHTS) Program

SECTION A

OVERVIEW

1. INTRODUCTION

The United States Agency for International Development's (USAID) Mission in Sri Lanka intends to support an integrated conflict response strategy to address the escalating conflict in Sri Lanka. The program will utilize peace building, democracy and governance, as well as, economic growth strategies to address the most deleterious symptoms of the increased violence. In the medium term, USAID will continue to support objectives that promote a resumption of the peace process to resolve Sri Lanka's long standing conflict.

2. BACKGROUND

A detailed analysis description of the conflict in Sri Lanka can be found in the December 2006 Democracy and Governance Assessment. The purpose of this section is to highlight key issues relevant to this statement of work.

The cease-fire agreement between the Government of Sri Lanka (GSL) and the Liberation Tigers of Tamil Eelam (LTTE) was signed in February 2002 and although the agreement remains in effect, in practical terms the conflict has resumed with no prospects for negotiations in the future. Despite violations of the agreement by both sides, the relative peace experienced between 2002 – 2005 has disappeared. Since January 2006, more than 2,500 have been killed and more than 200,000 civilians displaced. As the formal conflict has escalated in the east, so have human rights abuses: disappearances and extra-judicial killings are commonplace and there has been an increase in the recruitment of children. The long standing conflict continues to overshadow problems of governance, economic inequality and law and order.

The election of President Mahinda Rajapakse has seen the implementation of a twin track strategy for the resolution of the conflict. The GSL has not formally withdrawn from the cease-fire agreement and continues to express its commitment to the peaceful resolution of the conflict and the negotiations process. In 2006, the parties did travel to Geneva on

three occasions for talks. Not surprisingly, these brief meetings failed to progress beyond bellicose opening statements regarding the failure to abide by or implement the provisions of the cease-fire agreement. Neither party has been able to consider meaningful confidence building measures to establish a foundation for future negotiations.

In keeping with his government's stated commitment for a political solution to the conflict, President Rajapakse launched a multi-party initiative to formulate a political consensus for resolving the conflict. The President's All Party Conference has been plagued with difficulties; the Committee of Experts tasked with drafting a package of constitutional measures that would form the basis for a political solution failed to reach a consensus and finally issued three reports: one majority report, and two dissenting reports. Many commentators believe that initiatives in the political arena may be secondary to the military strategy currently being implemented by the government.

The escalating conflict in the east has seen outbreaks of ethnic violence with heightened tensions between all three communities. The city of Trincomalee is heavily militarized as the GSL seeks to maintain security in the most important military base in the east. Through June 2006, outright military activity was restrained but in August 2006, military operations escalated in response to the Mavil Aru incident - in late July 2006, the LTTE closed a sluice gate at Mavil Aru in the Eastern province, a decision that adversely affected farmers in Sinhalese dominated areas of the Trincomalee district. The LTTE maintained their action was in response to the lack of water for Tamil farmers in the region - possibly those in LTTE controlled areas - but their actions provoked a military response that has spiraled into the current campaign in the east.

The Army's reopening of the Mavil Aru sluice gate and their recapture of Muttur town precipitated a return to conflict in the Jaffna peninsula; a suspension of civilian flights and more broadly, a worsening humanitarian crisis in the north and east. The A9 highway to Jaffna remains closed and humanitarian supplies have to be transported by sea.

The operating environment for domestic and international civil society organizations, particularly, non governmental organizations, has become more restrictive and in many cases hostile. Stringent regulations imposed by the GSL for the registration of non governmental organizations (NGO) and their expatriate personnel; tighter restrictions for humanitarian access, particularly in conflict affected areas, and the all too common vilification of pro-peace and humanitarian organizations in the media, fuels the repressive atmosphere. The murder of 17 Action Contre la Faim workers in Muttur and other attacks on workers from NGOs and international organizations has led many to withdraw their staff to Colombo.

On January 15th, 2007, the Sri Lanka army captured the eastern town of Vakkarai. This suggests that the Sri Lanka military will assert control over the Eastern province, re-asserting the balance of power between the parties that existed prior to the cease-fire agreement.

The military victories in the East have to be accompanied by the political consolidation of the east. On October 16th 2006, the Supreme Court ruled that the temporary merger of the Northern and Eastern provinces that followed the 1987 Indo-Lanka Accord was illegal. Following this decision, the GSL has begun to establish separate provincial administrations for a Northern Province and an Eastern province.

The process of political consolidation in the Eastern Province may result in elections for a provincial council. This presents a particular challenge; as a result of the on-going military campaign there are significant numbers of internally displaced persons - the Tamil and to a lesser extent, the Muslim communities being particularly affected.

Furthermore, the Karuna Group, a breakaway faction of the LTTE led by their former commander in the east Vinayagamoorthis Muralitharan alias “Colonel Karuna Amman”, has been accused of the recruitment of child soldiers; extra-judicial killings; abductions, and restricting the freedom of expression by targeting journalists and preventing the distribution of newspapers. Elections in the east will present the group’s political wing – the Tamil Makkal Viduthula Puligal (TMVP), an opportunity to complement their military gains over the pro- LTTE factions with political representation. The existing political competition between Tamil parties in the east raises a particular challenge. The Tamil National Alliance (TNA), the largest political coalition representing the Tamil community opposes the de-merger of the two provinces and they may boycott any future election for an Eastern provincial Council. Whatever their decision, the TVMP may be presented with a significant opportunity to build upon the Karuna Group’s military gains and establish a permanent political presence in the east.

During the history of Sri Lanka’s conflict, the rights and needs of the Muslim community, particularly those in the north and east have been neglected. They are constantly vulnerable to the conflict dynamics played out by the GSL and the LTTE and suffer from a fragmented political leadership, weakening an already marginal voice in the broader polity.

The districts of the North Central province are Sinhalese dominated. Data from the USAID funded Knowledge, Attitudes and Perception (KAP) surveys show a high percentage of respondents from these districts levels displaying skepticism and even outright opposition to elements of the 2002-2004 peace process. It has been observed that there is increasing support for Sinhalese nationalist positions amongst the electorate in this region. This is being reflected in national trends, a recent survey showed an increase in support amongst the Sinhalese for a military solution to the conflict from 7 percent in 2005 to 20 percent in 2006.

Numerous assessments of the Sri Lanka conflict maintain that the conflict and the state of democracy are directly linked. The conflict has become more than an institution; it is the norm, affecting the state and the economy through – violence, the alienation seen between ethnic and political groups; the cost to the economy and the associated lack of economic development and the rise of extremism and nationalist voices.

3. CURRENT USAID SRI LANKA CONFLICT RESPONSE, DEMOCRACY AND GOVERNANCE PORTFOLIO

The Academy for Educational Development (AED) is currently implementing phase three of the Sri Lanka Peace Support Project that began in May 2002, shortly after the cease-fire agreement came into effect. Originally designed to support the needs of the newly created Secretariat for Coordinating the Peace Process (SCOPP), the program expanded to implement an integrated strategy designed to support activities at three tracks of the peace process. In light of the failure by the primary parties to achieve any significant progress at the track 1 negotiations, the projects most significant achievements are at the track two and track three levels. In particular, the Peoples Forum Initiative has provided an opportunity for communities to take ownership of local development needs, and many of the more active fora have been able to engage on political issues and peace-building. The project supports the Peace Secretariat for Muslims, including their five regional offices. The secretariat will provide an opportunity for the collective voice of an important but marginalized conflict affected community to be heard. Finally, the project has supported the Knowledge, Attitudes and Perceptions (KAP) survey that studied the nature, and dynamics of public attitudes to the peace process. The survey has been used to educate donors, political actors and members of civil society to understand the public's views on conflict so that specific proposals and overall peace agreements can be tested, with the goal that specific agreements and options receive increased levels of public support. Further information on this project can be obtained from AED's website www.aed.lk

In December 2004, shortly before the tsunami, USAID Sri Lanka made an award to the Asia Foundation and the International City and County Managers Association to implement the Transparent and Accountable Local Governance Program (TALG). In the aftermath of the tsunami, the program expanded its support to 35 local government partners (Municipal Councils, Urban Councils and Pradeshiya Sabhas) in six provinces, with 22 partners in tsunami affected districts in the Southern and Eastern provinces. The program is building the capacity of local authorities in four broad areas: local development planning; financial management; service delivery and community participation. The program has made progress to empower local authorities to address local needs and thereby address root causes of the conflict, demonstrating that decentralized structures can bring tangible benefits to citizens

SECTION B

TECHNICAL OUTLINE

1. TECHNICAL SUMMARY

The USAID Sri Lanka conflict response program will utilize a variety of programmatic tools to respond to the escalating conflict in the country. The statement of work calls for the “RIGHTS” (Reconciliation, Governance, Human Security, Transparency and Stability) program will require the contractor to implement an integrated strategy, both within the variety of elements of the RIGHTS program and in coordination with the economic growth program. Program coordination should not be viewed as a utopian goal, often discussed but rarely achieved. USAID Sri Lanka’s contractors for the RIGHTS and the Economic Growth programs will each operate and maintain one field office. Staff from both contractors will be co-located in these offices. The Deputy Chief of Party for the RIGHTS program will be located in the field office operated and maintained by the contractor implementing the RIGHTS program.

The RIGHTS program will support two areas identified by the United States Government’s (USG) Foreign Assistance Framework: (a) Peace and Security and (b) Governing Justly and Democratically. The program under the peace and security objective will address conflict mitigation and reconciliation elements and the Governing Justly and Democratically objective will address the following elements: Rule of Law and Human Rights, Local Government and Decentralization, Civil Society and Media.

The statement of work has compartmentalized the Foreign Assistance Framework into four activity areas: human rights, local governance, conflict mitigation and reconciliation and media. The four activity areas will engage with populations that are most at risk, with a regional emphasis in the North Central and Eastern Provinces. However, many conflict response strategies in the regions must be complemented with activities with a national focus. In the design and implementation of the RIGHTS program, the contractor must adhere to the programming principles outlined below:

2. PROGRAMMING PRINCIPLES

The contractor must adhere to the following programming principles in the design and implementation of this program:

- (a) The program will address the needs of populations that are most at risk from the on-going conflict in Sri Lanka. The term population can be defined based on, among other things: sector, ethnicity or geographical location;

- (b) The contractor will establish and maintain a field office in or near to the conflict affected regions in the north and east. The exact location of the office will be determined in consultation with the Mission;
- (c) The Deputy Chief of Party will operate from the field office;
- (d) The RIGHTS program must achieve and be seen to achieve a balance of support between all ethnic groups;
- (e) By definition, the program will have a regional focus, however, many fundamental democracy and governance problems emanate from the center and will require a program design with a national strategy;
- (f) Avoid activities that serve to legitimize bodies with a compromised legal status or that have a questionable adherence to democratic principles;
- (g) Integrate program elements within the RIGHTS program and with the Mission's economic growth program; and,
- (h) Given Sri Lanka's on-going conflict, the operating environment is fluid and this requires the monitoring of conflict, democracy and governance variables, which may lead to adjustments in the program strategy.

The RIGHTS program will achieve the following four objectives:

1. Improve human security in conflict affected regions;
2. Increase a secure space for political discourse and public dialogue;
3. Strengthen conflict mitigation and reconciliation mechanisms in conflict affected populations; and,
4. Enhance accountability in local governance.

Based on these objectives, the RIGHTS program will implement the following components that are described in detail below:

3. PROGRAM COMPONENTS

Component 1: Improved Human Security in Conflict Affected Regions

This component will strengthen human security in conflict strategic and conflict affected regions by increasing respect for human rights; support data gathering mechanisms, and provide greater protection for journalists and civil rights activists. The expected outputs of this component are: increased international and local information and knowledge about human rights violations; increased support to and capacity building for human rights organizations; improved coordination between national and regional institutions seeking to improve human security, and greater protection for journalists and civil rights activists.

***Sub-Component 1.1:** Strengthen the National Human Rights Commission (NHRC) regional offices by building up their research, investigation and reporting functions, particularly in the north and east. The expected outcome of Activity 1.1 is the strengthened capacity of the NHRC regional offices' ability to respond effectively to human right abuses and protect the rights of vulnerable populations. To achieve this outcome, the contractor will implement the following illustrative activities:*

1.1.1 Conduct an assessment of the existing capacity, resource deficiencies and workload of each of the targeted Human Rights Commission's regional offices and a priority list for offices to be strengthened;

1.1.2 Develop a component work plan that will be reviewed on a quarterly basis in collaboration with USAID;

1.1.3 Build capacity in targeted Human Rights Commission regional offices by implementing training strategies and technical assistance in the following areas: human rights advocacy, coordination with regional civil society organizations; conducting inquiries; reporting of human rights abuses and allegations of violations; coordination with government agencies, and case management;

1.1.4 Establish sustainable coordination mechanisms for the regional offices and their counterparts from civil society organizations in the district;

1.1.5 Develop strategies to provide technical assistance, training and program support to regional offices that lack "institutional will" to engage in primary component activities; and,

1.1.6 Monitor information on reported human rights violations to assess the risk of conflict or civil crisis in regional areas.

Sub Component 1.2: Improve and strengthen a national mechanism to collect data on human rights violations. The expected outcome of Sub-Component 1.2 is an improved and strengthened national mechanism to collect data on human rights violations. This will involve identifying an appropriate host institution for such a database; providing assistance to establish consistency in reporting; maintain accurate records on the numbers and types of complaints; gathering data from other protection agencies, and cross-checking complaints to reduce duplicative counts. The activity will assist the host institution to develop a viable dissemination strategy, including timely reporting. Wherever possible, the offeror should identify an appropriate indigenous institution that is capable of designing, installing and maintaining an information technology system for this database. The contractor will implement the following illustrative activities:

1.2.1 Conduct a detailed assessment of potential host institutions for a national database on human rights violations;

1.2.2 Develop an initial component work plan and review the work plan as required;

1.2.3 Identify an indigenous institution to design, install and maintain the operating system for the database that will maintain the highest standards of data protection;

1.2.4 Implement a capacity building program for the host institution prior to the installation of the database;

1.2.5 Provide technical assistance and training strategies in the following areas: reliable data collection; processing data correctly including cross-checking for duplication; ensuring security of data; use of equipment; and reporting.

1.2.6 Purchase and install equipment to upgrade or establish a database and any supporting networks;

1.2.7 Develop a data collection plan with host institution, civil society organizations, protection and human rights organizations and community based organizations to ensure a comprehensive and reliable gathering of data from a broad set of organizations; and,

1.2.8 Ensure the database is established within nine months of project start up.

Sub-Component 1.3: Provide institutional support to: (a) national and regional institutions and civil society organizations with an existing human rights mandate and (b) identify and support the engagement of regional institutions, civil society networks and other organizations that have yet to engage in human rights advocacy, monitoring and protection programming. The contractor's proposal should include an analysis of traditional civil society organizations, other than the "usual" non-governmental organizations, that can be engaged in human rights and protection advocacy. In addition, provide support for programming to address protection issues faced by media professionals and others employed by media outlets. To achieve this outcome, the contractor will implement the following illustrative activities:

1.3.1 Conduct a detailed assessment of the capacity and existing programs implemented by national and regional human rights, protection and advocacy institutions (including government departments) and civil society organizations. The assessment will serve as a tool to broaden the program's support to the widest range of organizations with a willingness to work in the field of human rights;

1.3.2 Develop an initial component work plan and review the work plan on a quarterly basis with USAID and program partners;

1.3.3 Provide technical assistance and training for civil society organizations to enhance their capacity to: advocate for improved respect for human rights; monitor human rights cases, and provide advice and representation for victims of human rights violations;

1.3.4 Provide technical assistance, training and program support to civil society organizations that monitor court cases and other fora that serve to adjudicate on complaints of human rights violations.

1.3.5 Support training for lawyers and human rights advocates to upgrade their technical skills;

1.3.6 Provide technical assistance and training to organizations on public outreach strategies for awareness and education campaigns on human rights, including: the responsibilities of government officials and agencies, and where and how to register complaints; and,

1.3.7 Provide support for programming to protect journalists nationwide. Programming may include support to journalist associations, establishing a formal system (consortium) for monitoring, documenting and acting on reports of harassment of journalists.

Component 2: Local Governance

Improve local governance in the North Central and Eastern provinces by empowering regional and local government in partnership with the community to address issues of governance as a root cause of the conflict. Building on lessons learned from current USAID local governance programs, the expected outcome of this component is to strengthen local governance in communities that are affected by conflict. To achieve this outcome, the contractor will implement the following illustrative activities:

Sub-Component 2.1

2.1.1 Conduct a detailed assessment of the Mission's current local government partners from the North Central and Eastern provinces to determine which partners can graduate from continued Mission support and identify potential new partners in these provinces;

2.1.2 Develop a component work plan with identified local government partners. The contractor may utilize some of the Mission's existing program partners as a foundation for the dissemination of best practices across the targeted regions. The work plan will be reviewed on a quarterly basis;

2.1.3 Provide technical assistance and training for local government partners in the North Central and Eastern provinces in the following areas: planning, budgeting, service delivery, participatory processes and information dissemination to citizens on key issues affecting the local community. Information dissemination should be in all three languages. In conflict affected areas, information dissemination may extend beyond core local government issues to include: human rights, responding to localized conflict and addressing the needs of vulnerable populations;

2.1.4 Strengthen the capacity of decentralized government institutions in the North Central and Eastern provinces to establish and / or maintain linkages with communities;

2.1.5 Provide training and technical assistance to strategic groups of regional government officials to promote the replication of best practices in local government management throughout the regions and advocate for policy reform at the national level. Strategic groups may include but are not limited to: Commissioners and Assistant Commissioners of Local Government;

2.1.6 Coordinate community development plans with the USAID Economic Growth program's contractor to ensure small grant funding for social and economic development programs in partner local authorities; and,

2.1.7 Identify and support a suitable civil society organization specializing in anti-corruption programming to monitor, analyze and disseminate information on the central government's budget process, with particular emphasis on expenditure on key service delivery areas; defense and flagship development projects.

Component 3: Strengthened Conflict Mitigation and Peace Building Mechanisms

Under this component, the contractor will strengthen and support community based and key national peace initiatives. Building on current USAID programming this component will strengthen the existing strategy for community based initiatives and establish a presence in new locations in the North Central and Eastern provinces. In light of the escalating conflict, these initiatives in conflict prone regions serve to contain localized violence and promote co-existence; a foundation for future reconciliation. The second sub-component, serves to build on USAID's current investments by strengthening key national peace mechanisms including the Peace secretariat for Muslims. Finally, the third sub-component will achieve three goals: the first, provide accurate information on public knowledge and perception of the conflict; second, provide the contractor and USAID with an important planning tool to ensure the Mission's response to Sri Lanka's on-going conflict is both strategic and appropriate to the needs in the country, and third, engage with and support a broad range of civil society organizations that have yet to participate in pro-peace activities.

***Sub-Component 3.1:** Strengthen existing community based initiatives and implement the program in new locations in targeted regions. These initiatives will target multi-ethnic and conflict affected communities to promote peace-building and reconciliation programming using a variety of strategies, including but not limited to: engaging with regional and local government, economic growth and rural development programming. The successful implementation of this sub-component requires a significant degree of integration with technical elements of the rights program and coordinated support from the Mission's economic growth program. To achieve this outcome, the contractor will implement the following illustrative activities:*

3.1.1 Conduct a detailed assessment of current community consultation initiatives and identify new communities where such fora should be established;

3.1.2 Develop an initial component work plan and review the work plan as needed, initially quarterly and after one year, at least on a semi-annual basis;

3.1.3 Strengthen existing and establish new community consultation initiatives by providing training strategies and technical assistance in conflict resolution;

3.1.4 Build linkages between district and provincial level community consultation initiatives;

3.1.5 Build linkages between the community consultation initiatives, local governments, national and regional human rights and advocacy NGOs and the media;

3.1.6 Implement a small grant program to support community based activities that promote co-existence, reconciliation, monitor human rights, and establish conflict early warning systems; and,

3.1.7 Develop the capacity to plan for crises and emergencies at the local level by establishing the means for a rapid and effective community level response in the event of a crisis or conflict.

Sub-Component 3.2 Strengthen key national peace mechanisms including the Peace Secretariat for Muslims. To achieve this outcome, the offeror will provide the following illustrative services:

3.2.1 Develop an initial component work plan for technical assistance and training for the secretariat staff from the national and regional offices;

3.2.2 Provide technical assistance and training programs for the Peace Secretariat for Muslims;

3.2.3 Establish linkages between the Secretariat and civil society organizations and community consultative fora in the Eastern province and other national and regional peace initiatives. In particular, emphasis should be placed on the ability of the regional offices to bridge the ethnic divide and engage with civil society organizations that represent the Sinhalese and Tamil communities in the Eastern province; and,

3.2.4 Establish a communications strategy for the Secretariat to advocate for a recognized role for the Muslim community in developing a peaceful resolution of the conflict.

Sub-Component 3.3 Support targeted civil society initiatives that increase awareness and participation in pro-peace initiatives. Targeted support will be provided for strategic civil society organizations that (a) gather information on public perceptions of the conflict and (b) engage civil society networks and organizations that have yet to engage in pro-peace initiatives.

3.3.1 Provide technical assistance and training to a selected indigenous survey organization to design the questionnaire for a Knowledge Attitudes and Perceptions (KAP) Survey on the conflict and a future peace process;

3.3.2 Provide support to an indigenous survey organization to implement a KAP survey on the conflict and a future peace process.

3.3.3 Identify and support alternative civil society networks and organizations, particularly in conflict affected regions on conflict response and pro-peace initiatives; and,

3.3.4 Establish linkages between partners identified in element 3.3.3 and in sub-components 2.1 and 3.1 with activities implemented by the Economic Growth program.

Component 4: Media

The outcome of this component is to keep political space open for alternative points of view on governance and democracy issues and raise awareness of human rights and conflict issues.

***Sub-Component 4.1** Strengthen and increase dissemination of information, and expand the debate on critical governance, conflict and human rights issues. To achieve this outcome, the contractor will provide the following illustrative services:*

4.1.1 Conduct a detailed assessment of targeted regional organizations for media programming. Emphasis should be placed on local media outlets and creative strategies to promote an alternative media methodology utilizing pre-existing networks in the North Central and Eastern provinces;

4.1.2 Develop an initial component work plan;

4.1.3 Provide training and support for print and radio journalist to improve reporting skills. The training should target gathering and disseminating information on key issues such as needed national reforms, local governance issues and human rights violations. It is essential that any training be accompanied by support for the publication of the reports especially in conflict affected areas that lack reliable and timely information;

4.1.4 Establish and support a national award program for regional journalists supported by the broader United States Mission in Sri Lanka. The awards will be coordinated through USAID and the Public Affairs Office; and,

4.1.5 Develop programming for local radio stations on regional implications of proposed and needed constitutional changes, human rights, peace and other governance issues.

SECTION C

IMPLEMENTATION STRATEGY

1. GEOGRAPHICAL COVERAGE

In addition to working nationally, this program will target two provinces: North Central and Eastern provinces. Within these two provinces, the programs should focus on 2-4 on districts. The final decision of the contractor's sub-regional program locations will be made by the USAID CTO. One key factor will be ensuring coordination with the implementation of USAID's Economic Growth "PEACE" program. The proposed geographic focus will enable USAID to:

- Maintain a presence in conflict affected districts where human rights violations are relatively high;
- Obtain first-hand information about the program needs in conflict affected districts;

- Implement a program strategy that demonstrates a balance between ethnic groups;
- Build on targeted elements of USAID's current programs, and
- Find an effective way to link, both in theory and practice, the four program areas highlighted in this statement of work: human rights, peace building, media and governance.

2. INTEGRATED PROGRAMMING

The RIGHTS program is one of two key components in USAID's strategy designed to respond to the conflict in Sri Lanka. This statement of work envisages a program designed to integrate three technical approaches: peace-building, democracy and governance, and a participatory small grants component.

These approaches cannot be viewed through a narrow technical lens; at the community level, perceived economic, humanitarian and development needs can serve as a platform to promote co-existence and mitigate conflict. In designing their technical response to this statement of work, contractors must be cognizant of the Mission's economic growth programs including that announced under RFI #383-07-02 and establish credible strategy that creates linkages between the two programs. USAID has design two complementary statements of work for the programs as part of one broad strategic approach by the Mission.

Cross Cutting Issues:

Offerors should consider the following examples of possible linkages between the RIGHTS and the Economic Growth program:

- a) Conflict mitigation and peace building activities that support community consultative mechanisms will develop local action plans that may identify small scale economic growth; workforce development, and micro-finance projects that serve as a platform for more specific objectives under the RIGHTS program.
- b) The RIGHTS program will support local government capacity building, with an emphasis on: financial management, service delivery, and participatory planning to increase accountability and transparency. In all these areas, linkages with citizen groups, traders associations, regional chambers of commerce serve to ground these technical assistance and training programs in the reality of the local economy.
- c) Under Component 3 of the technical outline: Conflict Mitigation and Peace Building Mechanisms, the RIGHTS program may support a national alliance of regional Chambers of Commerce to engage the private sector; promoting the role of the business community in supporting the peaceful resolution of the conflict. Many of these regional chambers suffer from a lack of capacity to engage with national institutions, both within the government, civil society

and the private sector. Beyond the world of non governmental organizations, many civil society organizations such as, the chambers and the cooperative societies often suffer from a lack of inclusivity. Promoting inter-ethnic linkages and collaboration between such civil society organizations can begin a process of reconciliation. The contractor should consider these and other organizations and networks for support under the small grants component of the RIGHTS program.

- d) Public – Private partnerships are an important element of USAID’s conflict response strategy. Such partnerships are often more obvious within the scope of economic growth programming. Nevertheless, promoting such partnerships with the private sector both at the regional and national level should be part of the RIGHTS program’s strategy to sustain support for conflict response programs.
- e) The contractor implementing the RIGHTS program will be required to develop a training module on peace-building and reconciliation that will be used as a component of the life skills training provided by the Mission’s workforce development program. The life skills training package places an emphasis on: information technology, English language, and problem solving skills to enable the trainees to become more competitive in the job market. Young adults and youth who have participated in this program may also participate in exchange programs between conflict affected (e.g. North Central and Eastern provinces) and conflict strategic regions (e.g. Southern province).

3. CRISIS MODIFIER

Given political and security developments in Sri Lanka as well the country's vulnerability to natural and man-made disaster, USAID/Sri Lanka is developing a scenario-based crisis modifier.

This proposed scenario-based plan is an outgrowth of USAID/Sri Lanka’s experience and lessons-learned from implementing programs in Sri Lanka during the periods of conflict and natural disaster. Described below are the critical assumptions and the triggers that will cause movement to a crisis modifier strategy.

In Sri Lanka there is potential for increased violence and conflict resulting in a restrictive enabling environment caused by:

- Increased military or LTTE strikes resulting in a deteriorating human security environment;
- Increased in humanitarian crises caused by man made or natural disasters;
- Increased human rights violations;

- Shrinking space for public political discourse and dialogue and targeting of media professionals;
- Worsening economic indices leading to political instability and increased conflict; and
- Localized conflict and grievances associated with increased internal displacement of civilian populations.

Given the proposed program's field based approach, USAID anticipates an enabling environment characterized by: (a) the ability of USAID's primary implementing partners to work in the designated regional programming areas, and (b) the safety of those personnel who implement and participate in projects.

The Crisis Scenario: This anticipates the need to redirect resources in the event of a humanitarian crisis or a worsening security environment. USAID, in collaboration with the broader United States Mission and our partners will develop a description of "trigger events" that will necessitate a special review of the USAID program, and, if appropriate, a revision of the program strategy. The contractor in coordination with USAID/Sri Lanka will monitor these indicators. The decision by USAID to trigger a change in scenario will be done in consultation with the United States Mission, including the Ambassador, and others. The contractor should be prepared to demonstrate to USAID their ability to respond relatively quickly in situations of escalating conflict.

The contractor must establish a budget line item of no more than United States \$ 300,000 as a contract line item to respond to a future crisis. The decision to access funds from this contract line item will require prior written approval of the Cognizant Technical Officer for this award.

4. PERFORMANCE PERIOD

The RIGHTS contract will have a three-year base period with two, one-year Option Periods.

5. PROJECT STAFFING

Expatriate personnel should have extensive professional work experience in conflict affected countries, preferably in South Asia or South East Asia. The offeror shall place a long term Chief of Party and Deputy Chief of Party to oversee and coordinate the offeror's technical assistance, training and small grants programs in Sri Lanka.

- The Chief of Party** must have a graduate degree in law, preferably with a specialization in human rights law. The proposed candidate must have a minimum of ten years experience as Chief of Party for democracy and governance programs. Knowledge of programming in conflict affected countries is essential. Knowledge and experience of program design and implementation for field based programs is an advantage.

- b) **The Deputy Chief of Party** must have an advanced degree in conflict resolution; academic qualification at the doctoral level is preferred. The proposed candidate must have a minimum of ten years experience with implementing peace building or conflict response programs, with a minimum of three years experience as a Deputy Chief of Party of a program in a conflict affected country. Experience in the management of field based programs is essential.

The following positions are expected to be filled by host country personnel (Sri Lankan citizens). In all cases, fluency in Sinhala or Tamil is required and fluency in both is advantageous. Credit will be given to proposed candidates who are bilingual in the two national languages:

- c) **Senior Program Manager (Human Rights):** A degree in law and a minimum of fifteen years work experience in rule of law and human rights programming is required. Experience in the design and implementation of training programs for government officials and civil society organizations is essential. Work experience in the north and east of Sri Lanka is required. Fluency in Sinhala or Tamil is required.
- d) **Senior Program Manager (Peace-building and Civil Society):** A degree in a relevant field is required, examples may include: conflict studies, anthropology or, political science. A minimum of fifteen years work experience in peace building and conflict resolution programming is essential. In particular, experience of working on community based programs is essential. The proposed candidate must have a strong understanding of community mobilization strategies, and facilitation skills. Work experience in the north and east of Sri Lanka is required. Fluency in Sinhala or Tamil is required.
- e) **Senior Program Manager (Governance):** A degree and a minimum of fifteen years work experience in governance programs is required. Experience in the design and implementation of training programs for local government officials and an understanding national level local government policy issues is a requirement. Work experience in the north and east of Sri Lanka is advantageous. Fluency in Sinhala or Tamil is required.
- f) **Senior Grant Manager:** A degree in management or a professional qualification on accountancy is required. Three to seven years experience in the management of USAID funded grants is essential, including a broad range of grant mechanisms. Reporting the Chief of party, the proposed candidate must demonstrate leadership skills and show the ability to lead a team of three assistant grant managers. Leadership skills must include the ability to train and supervise the assistant grant managers. Fluency in Sinhala or Tamil is required.
- g) **Program Manager (Media) and Information Officer:** A minimum of ten years work experience in journalism and media programming. The proposed candidate must have the ability to multi-task and be responsible for media related activities

and program related outreach products. Examples include: establish and maintain a project website; produce publicity materials, and manage media events.

- h) **Program Manager (Human Rights):** A degree in law and a minimum of ten years work experience in rule of law and human rights programming is required. Experience in the design and implementation of training programs for government officials and civil society organizations is essential. Work experience in the north and east of Sri Lanka is required. Fluency in Sinhala or Tamil is required.
- i) **Program Manager (Peace-building and Civil Society):** A degree in a relevant field is required, examples may include: conflict studies, anthropology or, political science. A minimum of ten years work experience in peace building and conflict resolution programming is essential. Work experience in the north and east of Sri Lanka is required. Fluency in Sinhala or Tamil is required.

5. SUB AWARD APPROVAL FORMAT

All sub-award documents must be submitted to the USAID Cognizant Technical Officer for approval prior to actual award, regardless of amount. Each sub-award submitted must be in the following format:

- 1) Executive Summary
- 2) Program Description
- 3) Goals and Objectives and Results to be Achieved
- 4) Target Audience and Geographic Focus
- 5) Technical Approach
- 6) Management Plan
- 7) Implementation Schedule
- 8) Qualifications, experience and past performance of institutions proposed
- 9) Budget
- 10) A Performance, Monitoring and Evaluation Plan for the sub-award

The program description must include a clear description of the conceptual approach and general strategy (i.e. methodology and techniques) being proposed and should outline specific focused activities and explain how the proposed approach is expected to achieve the anticipated results. Contractors are encouraged to proposed innovative sub-grantee programs designed to achieve the desired results. Specifically, results should be defined in relation to how they will contribute to the goals of the RIGHTS program.

6. AWARD MONITORING PLAN

As part of its proposal, the offeror must submit an illustrative Award Monitoring Plan (AMP) for USAID's review. Monitoring and evaluation of performance and impact will be an on-going, collaborative process with the participation of the contractor, USAID and

other partners. The design and implementation of a comprehensive Award Monitoring Plan (AMP), that includes but will not be limited to, reporting on the Foreign Assistance Coordination and Tracking System (FACTS) indicators, will be an integral part of this contract.

The AMP must be subjected to rigorous data quality analysis and independent measurement of the impact for each specific indicator and client satisfaction. The comprehensive Performance Monitoring Plan (PMP) will be developed and baseline data gathered within 60 days of the signing of the contract. The final PMP will be negotiated with USAID as part of the approval of the first annual implementation plan. Wherever required, the data collected for each indicator must be disaggregated by gender and ethnic group.

The AMP will include but shall not be limited to the following indicators:

(a) Human Rights:

Indicator # 1: Number of United States Government (USG) Supported national Human Rights Commissions and other Independent State Institutions Charged by Law with Protecting Human Rights that actively pursued allegations of human rights abuses during the year;

Indicator # 2: Number of Public Advocacy Campaigns on Human Rights supported with USG assistance; and,

Indicator # 3: Number of Domestic Human Rights NGOs receiving USG support.

(b) Local Government:

Indicator # 1: Number of Local Mechanisms Supported with USG Assistance for Citizens to Engage with their Sub-national Government;

Indicator # 2: Number of Individuals Who Received Training in Local Government or Decentralization;

(c) Public Sector Executive Function:

Indicator # 1: Number of Governmental and Non-Governmental Mechanisms Supported with USG Assistance for Oversight of the Executive Branch.

(d) Media:

Indicator # 1: Number of Non-State News Outlets Assisted;

Indicator # 2: Number of Journalists Trained; and,

Indicator # 3: Number of Media Civil Society Organizations and /Or support Institutions Strengthened.

(e) Peace and Reconciliation Processes:

Indicator # 1: Number of Community Based Reconciliation projects Completed with USG Assistance;

Indicator # 2: Number of Peace-building Structures Established or Strengthened with USG Assistance that Engage with Conflict Affected Citizens in Peace or Reconciliation Projects;

(f) Conflict Mitigation:

Indicator # 1: Number of Non-Governmental Constituencies Built or Strengthened with USG Assistance;

(g) Civil Society:

Indicator # 1: Number of USG Assisted Civil Society Organizations that Engage in Advocacy and Watchdog Functions; and,

Indicator # 2: Number of Participants in USG Funded Programs Supporting Participation and Inclusion of Traditionally Marginalized Ethnic Minority and/or religious minority groups.

The AMP is limited to ten pages and as a minimum must address the following:

(h) A description of the contractor's established system for monitoring and evaluation of this particular AMP. This refers to:

- Organization-wide policies and procedures for monitoring and their relation to the AMP;
- Organizational staffing and their expertise, roles and responsibilities and how these are to be used in this particular AMP, including the role of sub-recipients;
- Automated and other methods used to gather, store, analyze and report on performance data;
- Procedures for regular communication with USAID regarding the status of monitoring activities, including early notification of problems, and
- Means of addressing a discovered lack of progress or success, the procedures for which, should focus on learning from mistakes, analyzing them, and ascertaining the reasons for missteps.

(i) Information about all activities to be monitored under the AMP. The list of activities should be provided in a logical framework which:

- Links activities to contract results – both those dictated to be USAID in the solicitation and other complementary results contained in the contractor's approach;

- Describes assumptions being made about the relationship of the activity to the contract result;
- Identified indicators against which progress is being measured;
- Describes methods used for monitoring;
- Provides an illustrative schedule for discrete monitoring activities tied to the overall project work plan, and
- Where appropriate the indicators must disaggregate data on the basis of gender and ethnicity.

7. PROJECT IMPLEMENTATION PLAN

The contractor is required to submit a Project Implementation Plan (PIP) as part of their proposal. The PIP should not be more than five pages in length and must be submitted in a table format or as a Gant chart.

8. DELIVERABLES AND REPORTING REQUIREMENTS

- a) Within 60 days of the award of this contract the offeror will submit an annual work plan for USAID CTO approval.
- b) Within 90 days of the award of this contract all managerial and technical staff are hired and where appropriate deployed in the field.
- c) Within 90 days of the award of the contract, the offeror will have an operational field office in one of the targeted regions identified in this Statement of Work.
- d) Within 60 days of the signing of the contract, the offeror will ensure the Award Monitoring Plan is finalized into the Performance Monitoring Plan for the program. The data quality analysis for the PMP must be completed within 90 days after the signing of the contract.
- e) The offeror will submit detailed quarterly reports to USAID within 30 days of the completion of the preceding quarter. The reports will include a detailed report on progress achieved in relation to the targets established in the Performance Monitoring Plan.
- f) The offeror will conduct an annual conflict and democracy and governance assessment in Sri Lanka to ensure that programmatic responses address the priority issues that stem from the on-going conflict. The December 2006 assessment (www.usaid.gov/in/ under “Working with us”) will form an important baseline for this deliverable.
- g) The offeror will submit monthly financial reports.
- h) The Contractor must submit an annual progress report with 60 days of the end of each United States Federal Government fiscal year (e.g. September 30).

- i) A final report will be submitted to USAID within 60 days of the completion date of this contract.

SECTION D

GUIDANCE TO OFFERORS- TECHNICAL PROPOSAL

- a) The technical proposal will be the most important item for consideration in selection for award of this proposed contract. Therefore, it should be specific, complete and concise, and arranged in order of the evaluation criteria. Technical proposals must not exceed forty (40) pages in length, exclusive of resumes, contractor performance reports, charts, and other appendices. The technical proposal will provide a full description of the proposed approach to and the resources that the offeror will bring to bear on the program described above. In particular, the offeror should display its vision for the implementation of an integrated conflict response strategy that utilizes peace-building, democracy and governance tools. The technical proposal will include the schedule for the implementation of the project start up – [Section 7 - Deliverables, paragraph (a)].
- b) The offeror must specify the composition and organizational structure of the entire project team, including: home office support, Colombo office and field office(s). The offeror must include a description of each staff member's role and technical expertise. At a minimum, the primary personnel suggested for this contract may include: Chief of Party, Deputy Chief of Party, Senior Program Manager (Human Rights), Senior Program Manager (Peace Building), Program Manager (Local Government), Information Officer / Program Manager (Media), Program Manager (Human Rights), Program Manager (Peace-Building), Senior Grant Manager (1 position), Assistant Grant Manager (3 positions). Except for the Chief of Party and Deputy Chief of Party, the project staff will be host country nationals. A resume (a maximum of three pages) for each technical and managerial staff position proposed shall be included in the proposal as an attachment (in addition to the maximum 40-page technical proposal). USAID CTO and the Contracting Officer must approve all personnel working under the contract.
- c) A minimum of five (5) past performance reports (PPRs) must be provided and should all be related to previous democracy and governance projects completed or ongoing during the last seven years. The reports submitted must be directly relevant to how the offeror will implement a successful strategy for the RIGHTS program.
- d) An Award Monitoring Plan not to exceed ten pages.
- e) A detailed Project Implementation Plan.

SECTION E

EVALUATION CRITERIA

A review panel established under the direction of the Regional Contracting Officer will evaluate proposals. The review panel and the Regional Contracting Officer will use “Best Value” criteria to determine the proposal most advantageous to the U.S. Government. **All evaluation factors other than Cost/price, when combined, are significantly more important than Cost/price factors. The significant technical evaluation factors are listed in relative order of importance** with significant evaluation factor ‘Technical Approach’ being the most importance significant technical factor. The subfactors under each significant technical evaluation factor are of equal weight relative to each other.

The contract award shall be made to the responsive and responsible offeror whose combined technical and cost/price factor offer the best value to the U.S. Government.

I. Technical Approach:

The Technical Evaluation Committee (TEC) will evaluate the contractor’s grasp of key technical elements contained in this statement of work. It will also evaluate the ability of the contractor to identify creative, workable and timely program recommendations for the implementation of USAID’s integrated response strategy described above. The AMP will be included in the evaluation of the contractor’s technical approach.

II. Personnel:

The Technical Evaluation Committee (TEC) will evaluate the quality of the proposed personnel. Offeror are instructed to link the skills and experience of their proposed technical and managerial personnel to the program implementation strategies in their technical proposal. The technical proposal shall cross reference the proposed personnel’s expertise, experience-level, and applicable regional experience. Evaluation will be based on the qualifications of the offeror’s personnel as demonstrated by the relevance and relative depth of their formal education; experience; and their ability to deploy in time for the estimated start date for this contract. The evaluation will be based on the mix of personnel proposed with more weight given to the key personnel proposed by the offeror. The key personnel are those referred to in Section D, Paragraph (b). The offeror will supply a resume, not to exceed three pages, for their proposed candidate for the positions listed in Section D, Paragraph (b). The scoring within the group of key personnel will be weighted, with more points allocated for the Chief of Party, the Deputy Chief of Party and other senior personnel.

III. Past Performance:

The offeror will provide past performance reports for all: democracy, governance and conflict response programs undertaken in the last seven years. If projects are underway, the offeror is required to list the contact information of its previous and existing awards using the form in Section J.

Particular emphasis will be placed on: (a) the offeror’s track record in deploying personnel proposed in their original proposals; and (b) the relevance of the offeror’s past

and current performance in the implementation of programs that show the offeror's capacity to successfully implement the RIGHTS program.

(Note: The U.S. Government will evaluate the quality of the offeror's past performance. This evaluation is separate and distinct from the Contracting Officer's responsibility determination. The assessment of the offeror's past performance will be used to evaluate the relative capability of the offeror and other competitors to successfully meet the requirements of the RFP. Past performance of significant and critical subcontractors will be considered to the extent warranted by the subcontractor's involvement in the proposed effort.)

The U.S. Government reserves the right to obtain information for use in the evaluation of past performance from any and all sources outside of the U.S. Government. However, the proposal of an offeror with no relevant past performance, may not represent the most advantageous proposal to the U.S. Government and thus, may be an unsuccessful proposal when compared to the proposals of the other offerors. The offeror must provide the information requested above for past performance evaluation or affirmatively state that it possesses no relevant directly related or similar past performance experience. The Government reserves the right not to evaluate or consider for award the entire proposal from an offeror which fails to provide the past performance information or which fails to assert that it has no relevant directly related or similar past performance experience.

IV. Project Implementation Plan:

The Cost/Price Factor

While the overall Technical Evaluation is the key factor in reviewing the offeror's proposal, the cost/price evaluation is nonetheless an essential factor in determining the final contract award and ability to get into and remain in the competitive range. It should be noted that estimate cost is an important factor and its importance as an evaluation factor will increase as the degree of equality of technical competence between proposals increases. Additionally, the cost/price evaluation shall be carefully considered in determining the best value to the U.S. Government.

The Government shall evaluate the total cost proposal for the principal tasks identified in Statement of Work for realism, completeness and reasonableness. The contractor should have a structure that will allow it to provide the greatest value (highest results) at the lowest cost; minimizing and/or eliminating overall administrative costs, overhead, subcontract pass-through costs, profit, international staff benefits, home office communications and support, and other non-value added costs.